

ROCHESTER CITY COUNCIL

REGULAR MEETING

March 17, 2015

Present - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaul - 9

Absent - None - 0.

The Council President requested the Council to rise for a Moment of Silence.

Pledge of Allegiance to the Flag of the United States of America.

Recognition Ceremony

Retirement:

DES

*Barbara A. Barrington

*Larry King

*John G. Langdon

DHRM

*Sharon A. Burke

RPD

*John A. Mitchell, Jr.

*Bonita S. Powell

*Charles W. Yost

**Not attending meeting.*

APPROVAL OF THE MINUTES

By Councilmember Spaul

RESOLVED, that the minutes of the Regular Meeting of February 18, 2015 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

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The following communications are hereby directed to be received and filed:

The Mayor submits the following:

Administrative Cancellation or Refund of Erroneous Taxes and Charges 4176-15

Public Disclosure - HOME Participation 4177-15

The Council submits Disclosure of Interest Forms from Councilmember Haag on Int. No. 87 and Councilmember Ortiz on Int. No. 61.

THE COUNCIL PRESIDENT --- PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

None presented

PUBLIC HEARINGS.

Pursuant to law, public hearing will now be had on the following matter:

Approving the acquisition of real property from the Rochester Urban Renewal Agency
Int. No. 65. No speakers.

Resolution approving the sale of real property to the City of Rochester Int. No. URA-2
No speakers

Amending the Zoning Code, Chapter 120 of the Municipal Code with regard to outdoor storage
Int. No. 74. 5 speakers: David Ahl, Dave Bonis, Alex White, Lisa Jaques, Mike Burger.

Authoring an amendatory agreement for resident project representation services for the
Browncroft Neighborhood Street Lighting Project Int. No. 82 2 speakers: Linda Siple, David Ahl.

**REPORTS OF STANDING COMMITTEES
AND ACTION THEREON**

By Councilmember Conklin
March 17, 2015

To the Council:

The Finance Committee recommends for Adoption the following entitled legislation:

Int. No. 63 - Amending Section 111-75 of the Municipal Code with respect to towing of
vehicles used in quality of life violations

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Int. No. 64 - Amending Ordinance No. 2014-197 authorizing professional services agreements for appraisal services

Int. No. 66 - Authorizing the Mayor to sign legal documents

Int. No. 88 - Resolution approving appointment to the Greater Rochester Sports Authority

The Finance Committee recommends for Consideration the following entitled legislation:

Int. No. 65 - Approving the acquisition of real property from the Rochester Urban Renewal Agency

The following entitled legislation is being held in committee:

Int. No. 67 - Authorizing an agreement with TransPro Consulting LLC for a Citywide Strategic Management Plan

Respectfully submitted,
Carolee A. Conklin
Carla M. Palumbo
Jacklyn Ortiz
Dana K. Miller
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-58
Re: Amending the Municipal Code - Towing of
Vehicles in Certain Cases

Council Priority: Public Safety

Transmitted herewith for your approval is legislation amending Section 111-75 of the Municipal Code with regard to the towing of vehicles in certain cases. The current language of Section 111-75 authorizes the Rochester Police Department to tow vehicles that are used in ways that violate certain sections of the New York State Penal Law, and it also authorizes towing in cases of violations of certain sections of the Municipal Code.

In two court cases involving Municipal Code Section 111-75, the towing of vehicles for Municipal Code violations where the operator of the vehicle is not arrested was held to be unconstitutional. These cases are *People v Iverson* 22 Misc. 3d 470 (2008) and *People v Davis* 25 Misc. 3d 634 (2009). Although these cases were decided several years ago, the language in Section 111-75 remains. This legislation will revise Section 111-75 to continue the authorization for towing in cases involving offense related to Controlled Substances Offenses, Illegal Weapons Offenses and Prostitution Offenses. It will eliminate the authorization for towing in cases involving the following violations of the Municipal Code: Section 25-4 Noise; 25-9 Noise - motor vehicle; 25-12 Sound reproduction devices; and 20-16 Illegal dumping. These would continue to be violations of the Code, subject to ticketing and fines, but towing of vehicles would no longer be authorized for these violations.

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This revision of the Municipal Code is necessary to bring our code into compliance with court rulings on constitutional law.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-58
(Int. No. 63)

Amending Section 111-75 of the Municipal Code with respect to towing of vehicles used in quality of life violations

BE IT ORDAINED by the Council of the City of Rochester as follows:

Section 1. Section 111-75 of the Municipal Code is hereby repealed in its entirety and replaced by a new Section 111-75 to read as follows:

§ 111-75. Towing of motor vehicles used in quality-of-life violations.

A. Legislative intent. The City Council hereby finds and determines that violations of laws and codes affecting quality-of-life issues, including prostitution offenses, controlled substances offenses, and violations of illegal weapons provisions, are degrading to the persons involved, often lead to the commission of other offenses, disrupt the peace and quiet of the neighborhood where such offenses occur and are detrimental to the health, safety and welfare of residents and visitors in the city. Enforcement of such offenses also imposes an enormous burden on the City in terms of providing sufficient law enforcement personnel to combat these offenses and to maintain the peace and security of City streets and neighborhoods. The Council further finds that such offenses are frequently committed by persons who do not live in the neighborhood where the acts occur and who travel to and from said neighborhoods in a motor vehicle, that the acts constituting such offenses are often committed in or from a motor vehicle or that a motor vehicle is used to transport contraband or materials involved in the offense to the location where the acts occur. The Council finds that local legislation is needed to abate nuisances involving the use of motor vehicles by providing for the towing of motor vehicles used in connection with quality-of-life offenses.

B. Definitions. As used in this section, the following terms shall have the meanings indicated:

CONTROLLED SUBSTANCES OFFENSE

Any act or conduct which would constitute an offense under Article 220 or Article 221 of the Penal Law, or an attempt to commit the same.

ILLEGAL WEAPONS OFFENSE

Any act or conduct which would constitute a violation of Article 265 of the New York State Penal Law, or an attempt to commit the same.

PROSTITUTION OFFENSE

Any act or conduct which would constitute an offense under Article 230 of the New York State Penal Law, or an attempt to commit the same.

C. Towing.

- (1) It is the policy of the City of Rochester that when persons are arrested for prostitution, controlled substances or illegal weapons offenses or violations of § 47-5 of the Municipal Code (Firearms, shotguns, rifles and other dangerous weapons), and the act or acts constituting the offense take place in or from a motor vehicle, or when the persons arrested are in or about or arrived by a motor vehicle, or if the motor vehicle is otherwise used to facilitate the act or acts constituting the offense, such motor vehicle shall be towed pursuant to the arrest to a vehicle pound designated by the Chief of Police. The provisions of § 111-72 of the Municipal Code shall apply to such motor vehicles.
- (2) Whenever a police officer has probable cause to believe that a motor vehicle is subject to towing pursuant to this section, the police officer shall provide for the towing of the motor vehicle to a vehicle pound designated by the Chief of Police. Such towing shall be deemed an abatement of a nuisance and at the risk and expense of the vehicle owner or person entitled to the vehicle or person operating the vehicle. Such costs shall not be deemed to be a penalty. When the motor vehicle is towed, the police officer shall notify the person who is found to be in control of the motor vehicle at the time of the alleged violation, if there is such a person, of the fact of the towing and of the vehicle owner's right to request a hearing to be conducted in accordance with § 111-72H of the Municipal Code. Other than a lack of probable cause, the only defenses available to a vehicle owner in such a hearing shall be that the motor vehicle used in the violation was stolen at the time of the violation and the theft was reported to the appropriate police authorities within 24 hours after the theft was discovered or reasonably should have been discovered, or that the motor vehicle was operating as a common carrier and the violation occurred without the actual knowledge of the person in control of the motor vehicle. It shall not otherwise be a defense that the violation occurred while the vehicle owner was not present, or that the vehicle owner did not consent to the acts constituting the violation. The provisions of § 111-72 of the Municipal Code shall apply to motor vehicles towed pursuant to this section.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-59

Re: Amending Ordinance No. 2014-197 -
Appraisal Services

Council Priority: Deficit Reduction and
Long-Term Financial Stability

Transmitted herewith for your approval is legislation amending Ordinance No. 2014-197 to increase by \$24,000 the amount authorized for appraisal services required by the Law Department. The

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increased amount is necessary because expert appraisal services are needed for certain cases involving litigation challenging the tax assessment of certain properties. In order to defend the City's tax assessment, an expert opinion is needed.

This amendment will increase the amount authorized for appraisal contracts as follows:

<u>Firm</u>	<u>Original</u>	<u>Change</u>	<u>Total</u>
Bruckner, Tillet, Rossi, Cahill & Associates	\$10,000	\$23,000	\$33,000
Metro Appraisal Associates	\$10,000	(\$10,000)	0
Midland Appraisal Associates, Inc.	\$0	\$11,000	<u>11,000</u>
Grand Total			\$44,000

The total increase of \$24,000 will be funded from the 2014-15 Budget of the Law Department.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-59
(Int. No. 64)

Amending Ordinance No. 2014-197 authorizing professional services agreements for appraisal services

BE IT ORDAINED by the Council of the City of Rochester as follows:

Section 1. Ordinance No. 2014-197 authorizing professional services agreements for appraisal services is hereby amended to read as follows:

Ordinance No. 2014-197

Section 1. The Mayor is hereby authorized to enter into agreements with the following firms for real estate appraisal services as needed by the respective departments as shown below:

Department of Neighborhood and Business Development

<u>Firm</u>	<u>Maximum Compensation</u>
<i>Pogel, Schubmehl & Ferrara, LLC</i>	<i>\$8,500</i>
<i>Midland Appraisal Associates, Inc.</i>	<i>\$8,500</i>
<i>Bruckner, Tillet, Rossi, Cahill & Associates</i>	<i>\$8,500</i>
<i>Metro Appraisal Associates</i>	<i>\$8,500</i>

Law Department

<i>Bruckner, Tillet, Rossi, Cahill & Associates</i>	<i>\$10,000</i> <i>\$33,000</i>
<i>Metro Appraisal Associates</i>	<i>\$10,000</i>
<i>Midland Appraisal Associates, Inc.</i>	<i>\$11,000</i>

Department of Environmental Services

<u>Firm</u>	<u>Maximum Compensation</u>
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<i>Pogel, Schubmehl & Ferrara, LLC</i>	<i>\$10,000</i>
<i>Midland Appraisal Associates, Inc.</i>	<i>\$10,000</i>
<i>Bruckner, Tillet, Rossi, Cahill & Associates</i>	<i>\$10,000</i>
<i>Metro Appraisal Associates</i>	<i>\$10,000</i>

Section 2. The cost of the agreements shall be funded by \$34,000 from the 2014-15 Budget of the Department of Neighborhood and Business Development, ~~\$20,000~~ 44,000 from the 2014-15 Budget of the Law Department and \$40,000 from the 2014-15 Capital Budget of the Department of Environmental Services. The Mayor is authorized to adjust the amounts authorized for each firm, based on actual needs for their services, within the total amount of funds authorized. The agreements shall have a term of one year.

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-60
Re: Authorizing the Mayor to Sign
Legal Documents

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing the Mayor to sign legal documents required by New York State in connection with a \$5,000 grant to fund activities related to the Clarissa Street Reunion. The Council authorized receipt and use of these funds via Ordinance No. 2014-402. However, the New York State Office of Parks, Recreation and Historic Preservation now requires specific verbiage to access these funds, making Council approval of this item necessary. No City funds are required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-60
(Int. No. 66)

Authorizing the Mayor to sign legal documents

WHEREAS, the City of Rochester has received a Legislative Initiative grant in the New York State Budget; and

WHEREAS, there are specific requirements and regulations governing the expenditure of these funds;

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NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Rochester as follows:

Section 1. Administration of all funds under this grant will be in accordance with all terms and conditions contained in the *GUIDELINES for Non-Construction Projects \$50,000 and under, effective date* September 13, 2013, provided by the New York State Office of Parks, Recreation and Historic Preservation;

Section 2. That Lovely A. Warren, as Mayor of the City of Rochester, is hereby authorized to sign legal documents including the resolution set forth below on behalf of the City, and that such signature is acknowledgement of the acceptance of this body of compliance with all terms and conditions of the Master Contract for Grants Contract Number PKS-14-GE-001, to be executed for the grant.

DISCLOSURE & ACCOUNTABILITY CERTIFICATION

I. No Conflict of Interest

Except as otherwise fully disclosed in an attachment to this Certification, the Contractor affirms, to the best of its knowledge, under penalty of perjury, that neither the Sponsoring member nor any Related Parties to Sponsoring Member has any financial interest, direct or indirect, in the Contractor, or has received or will receive any financial benefit, either directly or indirectly, from the Contractor or from the matters contained in this Contract.

II. Good Standing

Except as otherwise fully disclosed in an attachment to this Certification, the Contractor affirms, to the best of its knowledge, under penalty of perjury that:

- (A) At no time during the past five years has the Contractor: (1) been barred by a government agency from entering into a government contract as a result of inappropriate activity or unlawful conduct; (2) been convicted or charged with a felony or misdemeanor; or (3) failed to file federal, state or city tax returns or pay taxes owed; and
- (B) Neither the Contractor, nor any of the Contractor's Related Parties, has paid any third party or agent, either directly or indirectly, to aid in the securing of this Contract.

Attach a description of the events and circumstances of any exceptions to these statements.

III. Funds Used Solely for Public Purpose

The Contractor affirms, to the best of its knowledge, under penalty of perjury, that all funds expended pursuant to the terms of this Contract are intended to be used and will be used solely and directly for the public purpose or public purposes specified elsewhere in this Contract.

IV. Sponsoring Member(s)

The Sponsoring Member of the local legislative initiative pursuant to which this Contract will be funded is Hon. David Gantt.

V. Definitions

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As used herein this Certification:

- (1) "Affiliate" means any person or entity that directly or indirectly controls or is controlled by or is under common control or ownership with the specified party.
- (2) "Contractor" means the party or parties receiving funds pursuant to the terms of this Contract.
- (3) "Related Party" means: (i) the party's spouse, (ii) natural or adopted descendants of the party or of the party's spouse, (iii) any sibling of the party or of the party's spouse, (iv) any person sharing the home of any of the foregoing, (v) any staff member, employee, director, officer or agent of the party, and (vi) Affiliates or subcontractors of the party.
- (4) "Sponsoring Member" means the sponsoring Assembly Member or State Senator that sponsored the grant related to this Contract in the Fiscal Year 2013-14 New York State Budget.

The undersigned recognizes that this Certification is submitted for the express purpose of assisting the State of New York and political subdivisions to make a determination regarding the award of a contract or approval of a subcontract; acknowledges that the State of New York and political subdivisions may in their discretion, by means which they choose, verify the truth and accuracy of all statements made herein; acknowledges that knowing or intentional submission of false or misleading information may constitute a felony under the Penal Law Section 210.40 or a misdemeanor under Penal Law Section 210.45; and states that the information submitted in this Certification and any attached pages is true, accurate and complete.

Name of Contractor: City of Rochester
Address: 30 Church Street, Rochester NY 14614
Signature of Authorized Official/Date

Lovely A. Warren, Mayor

Date: _____

Sworn to before me this
_____ day of _____, 20__

Notary Public

Section 3. This ordinance shall take effect immediately

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2015-5
Re: Appointment - Greater Rochester
Sports Authority

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Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation confirming the appointment of Edward P. Hourihan, Jr., litigation attorney and managing member of Bond Schoeneck & King Attorneys, Rochester, New York, to the Greater Rochester Sports Authority (GRSA). Mr. Hourihan will fill the current vacancy on the Authority.

The GRSA, established by New York State Law, consists of three members, one of whom is appointed by the Mayor and subsequently confirmed by the Council; the other two members are appointed by the County Executive with confirmation by the County Legislature. Members serve until they are replaced or resign.

The GRSA, a not-for-profit public benefit corporation, manages Frontier Field, which is owned by Monroe County. The Authority oversees the operations of the stadium. Mr. Hourihan will represent the City's interest as the GRSA undergoes its planned dissolution. He brings relevant professional experience with public authorities law to this position.

Mr. Hourihan's resume is on file for your review in the City Clerk's office.

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2015-5
(Int. No. 88)

Resolution approving appointment to the Greater Rochester Sports Authority

BE IT RESOLVED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the appointment of Edward P. Hourihan, Jr., litigation attorney and managing member of Bond Schoeneck & King PLLC, Rochester, New York, to the Greater Rochester Sports Authority.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-61
Re: Acquisition of Land from the
Rochester Urban Renewal Agency

Council Priority: Support the Creation
of Effective Educational Systems

Transmitted herewith for your approval is legislation authorizing the acquisition of land from the Rochester Urban Renewal Agency (RURA) for \$1.00. The parcel to be acquired is 485 North Clinton Avenue.

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In January 2015, City Councilmembers noted that this parcel was listed as owned by RURA. However, this parcel is part of the land upon which School No. 9 was built. Under State Education Law, properties used for City schools are to be owned by the City in trust for the Rochester City School District (RCSD). After reviewing the title records, it appears that part of the land upon which the school was constructed was conveyed to the City, but this parcel was not conveyed.

The legislation will convey 485 North Clinton Avenue to the City, thereby correcting the title records so that the entire school property is held by the City in trust for the RCSD.

A public hearing is required for the RURA conveyance.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-61
(Int. No. 65)

Approving the acquisition of real property from the Rochester Urban Renewal Agency

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the acquisition of the following parcel from the Rochester Urban Renewal Agency for the sum of \$1.00 to continue in use for Rochester City School District School #9:

Address: 485 North Clinton Avenue
S.B.L. #: 106.55-1-5.001

Section 2. Upon transfer of title to the City, any City taxes and other City charges, against said properties are hereby canceled.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 67
Re: Agreement - TransPro Consulting,
LLC, Citywide Strategic Management Plan

Transmitted herewith for your approval is legislation establishing \$78,540 as maximum compensation for an agreement with TransPro Consulting, LLC, Tampa, Florida, for the creation of a Citywide Strategic Management Plan. This agreement will be funded from the 2014-15 Budget of Undistributed Expenses. The term of the agreement is one year with the option to renew for an additional year.

The Citywide Strategic Management Plan will emphasize City priorities and provide clear indicators that demonstrate progress toward meeting the goals of increased job opportunities, educational quality, and neighborhood safety. The consultant will assist in developing the guiding vision

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statement from which City objectives and operational plans will be outlined and measured. Through the creation of a City dashboard or departmental scorecards, TransPro will provide a system for monitoring progress toward realizing tangible improvements for the citizens and businesses of Rochester. This reporting system will become the property of the City for continued use by staff.

Community engagement will be a central part of the Citywide Strategic Management Plan. The creation of an annual report based upon recent data will help the community understand the City's vision for Rochester's future. The impact of operational changes can be shared within the broader context of why they are made and what they produce. A critical component of the plan is to make the work of the City obvious and transparent to the public.

TransPro Consulting has a number of experts highly knowledgeable about Rochester and this region, including Mark Aesch, whose management skills turned an ailing Rochester-Genesee Regional Transportation Authority into the successful enterprise it is today. In addition, TransPro has experience working with other public entities such as the City of Detroit's Department of Transportation, Pasco County Schools in Florida (enrollment 72,000), Nassau County's Inter County Express, and the City of Las Vegas. For each of these municipalities, TransPro reduced costs and improved efficiency. Its work in Detroit gained national media attention, because TransPro helped the Department reduce costs by \$38 million and improve customer satisfaction by 44% in one year. The City of Las Vegas adopted a performance-based management system that is helping the city meet its self-defined strategic goals.

TransPro was selected through a request for proposal process which is described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 67

**AUTHORIZING AN AGREEMENT WITH TRANSPRO CONSULTING LLC FOR A
CITYWIDE STRATEGIC MANAGEMENT PLAN**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with TransPro Consulting LLC for consultant services relating to the development of a Citywide Strategic Management Plan. The maximum compensation shall not exceed \$78,540. The cost of this agreement will be funded from the 2014-15 Budget for Undistributed Expenses. The agreement shall have a term of one year, with one optional one-year renewal.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Held in committee.

By Councilmember Palumbo

March 17, 2015

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To the Council:

The Neighborhood & Business Development Committee recommends for Adoption the following entitled legislation:

Int. No. 68 - Authorizing the sale of real estate

Int. No. 69 - Authorizing a property tax exemption and authorizing an in lieu of tax agreement for the Wedgepoint Apartments Project

Int. No. 70 - Authorizing loan agreements for the Wedgepoint Apartments Project

Int. No. 71 - Authorizing a grant agreement with Scotts Miracle-Gro Company

Int. No. 72 - Resolution approving appointment to the City Planning Commission

Int. No. 73 - Appropriating funds and authorizing agreements for the Emergency Assistance Repair Program

The Neighborhood & Business Development Committee recommends for Consideration the following entitled legislation:

Int. No. 74 - Amending the Zoning Code, Chapter 120 of the Municipal Code with regard to outdoor storage

Respectfully submitted,

Carla M. Palumbo

Carolee A. Conklin

Michael A. Patterson

Dana K. Miller

Loretta C. Scott

NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-62

Re: Sale of Real Estate

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation approving the sale of five properties. City records have been checked to ensure that purchasers (except those buying unbuildable vacant lots) do not own other properties with code violations or delinquent taxes, and have not been in contempt of court or fined as a result of an appearance ticket during the past five years.

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The first three properties are vacant lots sold by negotiated sale to the adjacent owners. The owners will combine these lots with their existing properties.

The next two properties are unbuildable vacant lots, being sold for \$1.00 (as per City policy) to the adjacent owners who will combine the lot with their existing properties.

The first year projected tax revenue for these five properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$1,705.

All City taxes and other charges, except water charges, against properties being sold by the City will be canceled on the first day of the month following adoption of the ordinance because either the City has agreed to convey the properties free of City tax liens and other charges, or these charges have been included in the purchase price.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-32

Ordinance No. 2015-62
(Int. No. 68)

Authorizing the sale of real estate

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the negotiated sale of the following parcels of vacant land with proposal:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Price</u>	<u>Purchaser</u>
496 Avenue D, east ½	091.79-4-34	20x102	2,041	\$225	Santago Casiano, Jr.
496 Avenue D, west ½	091.79-4-34	20x102	2,041	\$225	Larry Copeland
48 Carter St	106.26-2-28.1	60x82	4,255	\$425	Valentin Hernandez

Section 2. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Purchaser</u>
54 Bauman St	091.80-2-43	34x95	3,255	Clark Food Services, LLC*
589 Portland Av	106.26-2-26	78x75	5,329	Abdul Mohammed

*Jeffrey Clark, Sole Member

Section 3. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 4. This ordinance shall take effect immediately.

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Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-63 and

Ordinance No. 2015-64

Re: Wedgepoint Apartments

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the Wedgepoint Apartments project, a mixed-use, mixed-income development being undertaken by PathStone Development Corporation (PDC) in the South Wedge neighborhood.

This legislation will:

1. Authorize property tax exemptions and payment in lieu of taxes agreements for the Wedgepoint Apartments project, which will provide a 30-year exemption for an annual in lieu of payment equal to 10% of the project shelter rents (gross rents minus utility costs).
2. Authorize a loan agreement for a \$400,000 construction/permanent loan with PDC or an affiliated partnership or housing fund development corporation to be formed by PDC, and appropriate and/or re-appropriate HOME funds from the respective Affordable Housing Fund allocation of the Housing Development Fund to fund the loan as follows:

<u>Amount</u>	<u>Year</u>
\$ 33,206.29	2011-12 HOME Program
140,000.00	2012-13 HOME Program
122,789.00	2013-14 HOME Program
<u>104,004.71</u>	2014-15 HOME Program
\$400,000.00	Total

The loan will serve initially as a non-amortizing 2% construction loan then at conversion to permanent financing become a 30-year, 2% interest-only loan with principal payment due at the end of the 30-year term.

3. Authorize the Mayor to execute such agreements and other documents as may be necessary to effectuate the agreement authorized herein.
4. Authorize the Mayor to adjust the interest rate and other terms and conditions of the loan in order to conform to legal and other requirements for the Project.
5. Authorize the Director of Finance to record all transfers herein and to make adjustments to the amounts set forth which may have changed prior to the date of this ordinance.

The fund transfers listed above are needed to allow the City of Rochester to proceed with affordable housing projects that have received, or are anticipated to receive, funding awards.

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Wedgepoint Apartments is a mixed-used, mixed-income development that will revitalize a strategically located vacant site at 390 South Avenue, the location of the former Downtown Motor Lodge. Wedgepoint Apartments will include two four-story buildings containing 60 apartments and three commercial units. The apartments will be a mix of one, two and three bedroom units; 80% of the units will be affordable to families earning 60% or less of the area median income and 20% of the units will be affordable to families earning between 61% and 90% of the area median income. Nine of the apartments will be set aside for blind and visually-impaired tenants who will receive services from the Association of the Blind and Visually Impaired. Wedgepoint Apartments will complement and bridge significant development that has occurred in the South Wedge area of Rochester in the past decade. The project was awarded funding through New York State Homes and Community Renewal's Early Round application for 9% low-income housing tax credits.

The sources and uses for the project are summarized below:

<u>Uses</u>		<u>Permanent Sources</u>	
Land/building	\$ 600,000	Conventional loan	\$ 625,000
Soft costs	1,440,000	9% LIHTC	8,218,488
Hard costs	11,085,489	Housing Trust Fund Mortgage	3,600,000
Contingency	508,075	Developer equity	200,000
Development fee	1,491,842	NYS Comm Inv Fund	431,495
Reserves	205,439	SLITHC	1,450,000
Working capital	<u>80,500</u>	City of Rochester	400,000
Total	\$15,411,345	HCR HOME	240,776
		NeighborWorks	<u>245,586</u>
			\$15,411,345

Workforce goals for the project are 6.9% women and 20% minorities

A State Environmental Quality Review Act (SEQR) review has been completed and a Negative Declaration has been issued. A National Environmental Policy Act (NEPA) review is underway and will be completed prior to entering into any agreements for the Wedgepoint Apartments project.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-33

Ordinance No. 2015-63
(Int. No. 69)

Authorizing a property tax exemption and authorizing an in lieu of tax agreement for the Wedgepoint Apartments Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Pursuant to Section 577 of the New York State Private Housing Finance Law, the Council hereby exempts from real property taxes, for a period of 30 years, the properties described below, to be owned by PathStone Development Corporation or an affiliated housing development fund corporation formed for the Wedgepoint Apartments Project, and to be used for housing as a part of the Wedgepoint Apartments Project:

March 17, 2015

<u>Project Address</u>	<u>SBL #</u>
390 South Avenue	121.48-1-47

Section 2. The Mayor is hereby further authorized to enter into an in-lieu-of-tax payment agreement for a period of thirty years with the housing development fund corporation, whereby the owner shall be obligated to make annual tax and in-lieu-of-tax payments to the City of Rochester equal in total to at least 10% of its annual "shelter rent". "Shelter rent" shall equal gross rents less utility costs.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2015-64
(Int. No. 70)

Authorizing loan agreements for the Wedgepoint Apartments Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into loan agreements for construction financing and permanent financing with PathStone Development Corporation or a housing development fund corporation or partnership formed for the Wedgepoint Apartments Project. The construction financing loan agreement shall be in the amount of \$400,000 at 2% interest, interest only to be paid annually. When the loan is converted to permanent financing, it shall be in the amount of \$400,000 and for a term of 30 years with interest at 2% paid annually. Principal payment shall be deferred to the end of the term of the loan. The Mayor is authorized to adjust the interest rate and other terms and conditions of the loan in order to conform to legal requirements for tax credits and for the Project. This loan agreement shall be funded by \$400,000 from the HOME Program as specified below, which funds are hereby appropriated for said purpose:

<u>Amount</u>	<u>Year</u>
\$ 33,206.29	2011-12 HOME Program
140,000.00	2012-13 HOME Program
122,789.00	2013-14 HOME Program
<u>104,004.71</u>	2014-15 HOME Program
\$400,000.00	Total

Section 2. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The Mayor is authorized to execute such agreements and other documents as may be necessary to effectuate the agreement authorized herein and to adjust the interest rate and other terms and conditions of the loan in order to conform to legal and other requirements for the Project.

Section 3. This ordinance shall take effect immediately.

March 17, 2015

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-65

Re: Grant Agreement - Scotts Miracle-Gro
Company, Community Gardens

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing an agreement with Scotts Miracle-Gro Company for the receipt and use of a \$40,000 GRO1000 grant. The term of this agreement is April 1, 2015 through March 31, 2018. The City will receive \$25,000 in year one, and \$7,500 in years two and three.

The grant will be used to assist in a community outreach initiative dedicated to bringing the benefits of gardens and green spaces to more neighborhoods. This project will be managed by the Northeast Neighborhood Service Center (NSC), and will provide gardening supplies and training opportunities to gardens and gardeners in all four quadrants of the city. Citizens and stakeholders are involved, and several established garden locations have been identified to participate. The gardens will grow both food and flowers.

The Northeast NSC will work in collaboration with Foodlink, Cornell Cooperative Extension, RIT, Home Depot, Wegmans, and other community partners interested in donating time and materials to promoting gardens, gardening, and increased access to whole foods, especially in neighborhoods lacking access to a fresh food grocery.

GRO1000 is a community outreach initiative that Scotts Miracle-Gro Company launched in 2011. The GRO1000 goal is to create 1,000 community gardens nationwide by 2018 in celebration of the company's 150th Anniversary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-34

Ordinance No. 2015-65
(Int. No. 71)

Authorizing a grant agreement with Scotts Miracle-Gro Company

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with Scotts Miracle-Gro Company for receipt and use of \$40,000 to be used for funding a community program to establish, improve and maintain community gardens and green spaces, and said amount is hereby appropriated for such purpose. The agreement shall be for a term of three years.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor

March 17, 2015

deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2015-6
Re: Board Appointment - City
Planning Commission

Transmitted herewith for your approval is legislation confirming the appointment of one alternate to the City Planning Commission: Allan Richards, 23 Pearl Street, Rochester, New York 14607. Mr. Richards is currently the Coordinator of Public and Legislative Affairs for New York State Assemblyman Harry Bronson. Mr. Richards' resume is on file with the City Clerk.

Mr. Richards will serve as an alternate on the City Planning Commission until March 31, 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-35

Resolution No. 2015-6
(Int. No. 72)

Resolution approving appointment to the City Planning Commission

BE IT RESOLVED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the appointment to the City Planning Commission of the following person as an alternate for a term that expires on March 31, 2017:

<u>Name</u>	<u>Address</u>
Allan Richards	23 Pearl Street

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-66
Re: Emergency Assistance Repair Program

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

March 17, 2015

Transmitted herewith for your approval is legislation related to the continuation of the Emergency Assistance Repair Program (EARP). This legislation will appropriate \$70,000 from the Housing Repair Programs allocation of the Housing Development Fund of the 2014-15 Community Development Block Grant (CDBG) for the City's use to operate the program.

EARP is a housing program designed to assist eligible homeowners to make emergency repairs to their homes. Eligible homeowners are those with household incomes at or below 80% of the area median income, who are current with city property tax payments and are in need of a water line replacement, hot water tank or furnace. EARP has been operating in-house with the assistance of Action for a Better Community to manage the application intake process. The work has been undertaken by vendors through the use of term agreements with the City. The vendors have been responsible for responding to requests for services and have been required to provide services within four hours from the time of the request. A City program manager has been responsible for overseeing the activities of the intake agency to ensure the efficient completion of applications by the homeowners. The program manager accepts and approves applications and coordinates vendors' work activities.

Ordinance No. 2014-282 authorized \$50,000 from the 2014-15 CDBG to fund EARP. Along with \$105,000 that was remaining in last year's program allocation, a total of \$155,000 was made available to fund the program. As of February 16, 2015, a total of 72 property owners have been served at a cost of \$133,569. It was forecasted that approximately 100 homeowners would be served through the program at an estimated cost of \$155,000. Our projections were not accurate; due to the exceptionally harsh winter, emergency repairs have exceeded our expectations.

A total of \$70,000 is being requested to continue funding EARP. This number was arrived at by averaging the amount of assistance that has been provided over the past six months (\$22,260) and multiplying that by three, the expected number of the remaining months of winter (to be conservative).

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-66
(Int. No. 73)

Appropriating funds and authorizing agreements for the Emergency Assistance Repair Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$70,000, or so much thereof as may be necessary, is hereby appropriated from the Housing Repair Programs allocation of the Housing Development Fund of the 2014-15 Community Development Block Grant to fund the Emergency Assistance Repair Program to be operated by the City.

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement the Program.

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

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Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Introductory No. 74
Re: Zoning Text Amendment -
Outdoor Storage

Transmitted herewith for your approval is legislation amending the Zoning Code of the City of Rochester pertaining to the definition of and regulations for outdoor storage. This code change was precipitated by a court decision which ruled that our existing code language was “unconstitutionally vague.” Therefore, this amendment proposes to clarify the definition of outdoor storage so that the restrictions on the activity, particularly on residential properties, are not unreasonably restrictive or unconstitutionally vague.

The City Planning Commission held an informational meeting on the proposed amendment on Monday, February 9, 2015. Four people spoke in support of the amendments, and two people spoke in opposition. By a vote of 5-0, the City Planning Commission recommended approval. The recommendation and meeting minutes are attached.

There were two other proposed amendments presented to the City Planning Commission at their February meeting, as reflected in the minutes: potential changes regarding bars and restaurants in the C-1 and Overlay-Boutique Districts, and changes to the definition of live entertainment and background music. Additional consideration and coordination are required before these potential amendments can be transmitted for the Council’s consideration.

A public hearing is required for the Zoning Text Amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 74

AMENDING THE ZONING CODE, CHAPTER 120 OF THE MUNICIPAL CODE WITH REGARD TO OUTDOOR STORAGE

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Chapter 120 of the Municipal Code, the Zoning Code, as amended, is hereby further amended by adding the following new definitions in Section 120-208 as follows:

COMMERCIAL /INDUSTRIAL MATERIALS Materials stored, warehoused, exchanged, used, consumed, assembled, repaired, salvaged, manufactured, generated, displayed, offered for sale, or discarded at a commercial or industrial use facility including, but not limited to, raw materials, equipment, parts, merchandise, construction materials, by-products, regardless of whether they are intended to be used, salvaged, or discarded.

CONTRACTOR STORAGE An outdoor area used for the storage of equipment and/or

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materials used for construction, building trades, landscaping services or maintenance including but not limited to building construction or renovation, heating, plumbing, roofing, landscaping and excavation.

GARBAGE All putrescible animal and vegetable waste resulting from growing, processing, marketing, and preparation of food items, including container in which packaged.

JUNK APPLIANCE Any household appliance, or parts thereof, including but not limited to, a stove, washing machine, dryer, dishwasher, freezer refrigerator, air conditioner, water heater lamp or lighting fixture, or television, electronic equipment and parts thereof, including but not limited to computers, copiers, fax machines and printers, lamps and lighting fixtures, which is placed outside of any residence or structure.

JUNK FURNITURE Placed, abandoned, discarded or irreparably damaged furniture including, but not limited to, sofas, upholstered and unupholstered chairs, mattresses, bed frames, desks, tables, and chests of drawers.

JUNK ITEM Worn out or discarded material of little or no value which is no longer intended or in condition for ordinary and customary use.

RUBBISH, LITTER AND DEBRIS Ordinary household or commercial trash, including but not limited to paper and paper products, barrels, cartons, boxes, cardboard, cans, glass metals, machinery, plastics, rubber crates, furniture, rugs, clothing, rags, mattresses, blankets, tires, automobile and other vehicle parts, lumber, brick, stone, and other building materials no longer intended or in condition for ordinary use.

STORAGE, CONTRACTOR See "contractor storage."

Section 2. Section 120-208 of the Municipal Code, the Zoning Code as amended is hereby amended by amending the definition of Outdoor Storage to read as follows:

OUTDOOR STORAGE

~~Storage of any materials, merchandise, stock, supplies, machines and the like that are not kept in a structure having at least four walls and a roof, regardless of how long such materials are kept on the premises. Outdoor storage shall not include junk and salvage yards, auto wrecking yards or the like.~~

OUTDOOR STORAGE The placing, maintaining, keeping or abandonment of junk, junk furniture, junk appliances, commercial or industrial materials, contractor storage, garbage, rubbish, litter and debris in a place other than a structure with a roof and fully enclosed on all sides.

Section 3. Section 120-175 of the Municipal Code, the Zoning Code is hereby repealed in its entirety, and a new Section 120-175 is hereby adopted to read as follows:

§ 120-175 Outdoor Storage

A. Prohibited Outdoor Storage

- (1) Outdoor storage shall not be permitted in any zoning district, except as

provided by subsection B of this Section. It shall be unlawful for any person to store, deposit, place, maintain or cause or permit to be stored, deposited, placed or maintained outdoors, any junk, junk furniture, junk appliance commercial/industrial materials, garbage, rubbish, litter and debris, as such terms are defined in Section 120-208, upon private property within in any zoning district, except as provided by subsection B of this Section.

- (2) It shall be unlawful for any person to use any unenclosed front porch area or side porch area for the storage or placement of mattresses or upholstered furniture, within any zoning district.

B. Permitted Outdoor Storage

- (1) Outdoor storage subject to the following restrictions may be authorized in the H-V and PMV districts by means of a special permit granted in accordance with Section 120-192B and the applicable district (H-V or PMV) regulations in this Chapter:
 - a. Outdoor storage shall not be allowed in the front yard.
 - b. Outdoor storage shall not occupy more than 10% of the entire lot area.
 - c. All outdoor storage shall be screened to ensure it is not visible from the public right-of-way or adjacent residential properties.
 - d. Screening shall be of sufficient height and density to completely hide the storage from public view.
 - e. Screening shall be of sufficient height and density to completely hide storage from major highways, passenger rail lines and other public accessways.
 - f. Display and storage of boats and boat trailers is permitted in the H-V district.
 - g. Any requirements established by the Planning Commission as a condition of granting a special permit for the use.
- (2) Outdoor storage subject to the following restrictions may be authorized in the C-3 and M-1 districts by means of a special permit granted in accordance with Section 120-192B and the applicable district (C-3 or M-1) regulations in this Chapter:
 - a. Outdoor storage shall not be allowed in the front yard setback.

- b. All outdoor storage shall be fully screened to ensure the area is not visible from the public right-of-way or adjacent residential properties.
- c. Screening shall be of sufficient height and density to completely hide the storage from public view.
- d. Screening shall be of sufficient height and density to completely hide storage from major highways, passenger rail lines and other accessways.
- e. Contractor storage must be a minimum of 200 feet from a residential or open space district.
- f. Any requirements established by the Planning Commission as a condition of granting a special permit for the use.

C. Exclusions. Subsections 120-175(A) and 120-175(B) shall not apply to the following:

- (1) Wood intended for consumption on the premises in a wood burning stove, furnace or fireplace provided that the volume of wood does not exceed a face cord measuring no more than 4 feet high x 4 feet wide x 8 feet long, placed in the rear yard and stacked on a wood pallet or otherwise raised from the ground.
- (2) Lawn, yard and/or garden ornaments, tools and machinery intended for use on the premises.
- (3) Hoses and sprinklers used for watering lawns and gardens.
- (4) Storage or placement and accumulation of materials in connection with a commercial operation conducted on the premises where such storage, placement and accumulation is situated, operated and authorized in accordance with this or any other chapter of the Municipal Code including, but not limited to, junkyards and salvage yards authorized pursuant to this Chapter and Chapter 66 of the Municipal Code.
- (5) Temporary storage of contractor materials and equipment being used for the construction, renovation, or demolition of a building or structure on the premises for which a current building or demolition permit has been issued or other improvements not requiring a permit.
- (6) Items that are prepared and placed for collection at curbside or elsewhere in compliance with the refuse and recyclable collection regulations in Chapter 20 of the Municipal Code.

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Section 4. §120-51 of the Zoning Code, relating to special permit uses in the C-3 Regional Destination Center District is hereby amended by adding the following new subsection:

J. Outdoor storage, subject to the additional requirements set forth in §120-175.

Section 5. Subsection B of §120-76 of the Zoning Code, relating to special permit uses in the PMV Public Market Village District is hereby amended by adding the following new item:

(5) Outdoor storage, subject to the additional requirements set forth in §120-175.

Section 6. Subsection B of §120-77 of the Zoning Code, relating to special permit uses in the H-V Harbortown Village District is hereby amended by adding the following new item:

(14) Outdoor storage, subject to the additional requirements set forth in §120-175.

Section 7. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Held in committee.

Introductory No. 61 was introduced February 18, 2015 and appears in its original form with its transmittal letter on page ____ of the current Council Proceedings

Ordinance No. 2015-67
(Int. No. 61, as amended)

Amending Ordinance No. 2014-277 authorizing loan agreements for the Eastman Gardens Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Ordinance No. 2014-277 authorizing loan agreements for the Eastman Gardens Project as amended is hereby further amended to alter the terms regarding Loan 1, to read as follows:

Section 1. The Mayor is hereby authorized to enter into loan agreements for construction financing and permanent financing with Eastman Gardens Associates LLC or a housing development fund corporation formed for the Eastman Gardens Project. The construction financing loan agreement designated as Loan Number 1 shall be in the amount of \$600,000 at 2% interest, interest only to be paid annually. When the loan is converted to permanent financing, it shall ~~amortize over~~ be for a term of 30 years, with 0% interest. Payment of principal shall be as follows: \$6,000 per year in years 1 through 5; \$12,000 per year in years 6-15; and \$30,000 per year in years 16-30. with interest at 1% in years 1 through 5; 2% interest in years 6 through 15; and 6% interest in years 16 through 30. In years 1 and 2 up to one half of the payments due may be deferred if the City determines that such deferral is necessary to offset any rent concessions required to achieve full occupancy, based upon audited financial statements. Interest shall be payable annually at 1% in

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~~years 1 through 5; 2% interest in years 6 through 15; and 6% interest in years 16 through 30. Payment of principal shall be deferred until year 16, and beginning in year 16 the principal shall be amortized during years 16 through 30.~~ The Mayor is authorized to adjust the interest rate and other terms and conditions of the loan in order to conform to legal requirements for tax credits and for the Project. This loan agreement shall be funded by \$300,000 from the Focused Investment Strategy allocation of 2012-13 Cash Capital of the Department of Neighborhood and Business Development, and \$300,000 from the Affordable Housing Acquisition allocation of ~~2014-15~~ Prior Years' Cash Capital of the Department of Neighborhood and Business Development.

Section 2. The Mayor is hereby authorized to enter into loan agreements for construction financing and permanent financing with Eastman Gardens Associates LLC or a housing development fund corporation formed for the Eastman Gardens Project. The construction financing loan agreement designated as Loan Number 2 shall be in the amount of \$600,000 at 0% interest. When the loan is converted to permanent financing, it shall be for a term of 30 years with interest ~~only payable annually~~ at 2% per year. Payment of the principal and interest shall be deferred until the end of the term. The Mayor is authorized to adjust the interest rate and other terms and conditions of the loan in order to conform to legal requirements for tax credits and for the Project. This loan agreement shall be funded by \$600,000 from the Affordable Housing Fund allocation of the Housing Development Fund of the 2014-15 HOME Program, and said funds are hereby appropriated for this purpose.

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed by the following vote:

Ayes - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Palumbo, Patterson - 7.

Nays - Councilmember Spaul - 1.

Councilmember Ortiz abstained because of a familial relationship.

By Councilmember Haag
March 17, 2015

To the Council:

The Parks & Public Works Committee recommends for Adoption the following entitled legislation:

Int. No. 75 - Bond ordinance of the City of Rochester, New York, authorizing the issuance of \$1,886,000 bonds of said City to finance the reconstruction of various water mains related to the 2015 Water Main Extension and Improvements Program in the City

March 17, 2015

Int. No. 76 - Bond ordinance of the City of Rochester, New York, authorizing the issuance of \$1,429,000 bonds of said City to finance the cost of the Parking Garage Repair and Reconstruction Program in the City

Int. No. 77 - Authorizing an agreement for the Emergency Communications Facility Console Replacement Project

Int. No. 78 - Authorizing a professional services agreement with T.Y. Lin International for the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project

Int. No. 79 - Authorizing agreements for materials testing services

Int. No. 80 - Authorizing agreements for the Public Market Winter Shed Renovation and Expansion Project

Int. No. 81 - Bond ordinance of the City of Rochester, New York, authorizing the issuance of \$508,000 bonds of said City to finance the cost of design and construction of the Public Market Winter Shed Renovation and Expansion Project

The Parks & Public Works Committee recommends for Consideration the following entitled legislation:

Int. No. 82 - Authoring an amendatory agreement for resident project representation services for the Browncroft Neighborhood Street Lighting Project

Respectfully submitted,
Matt Haag
Elaine M. Spaul
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
PARK & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-68
Re: Water Main Extensions and
Improvements Program

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation related to the 2015 Water Main Extensions and Improvements program. This legislation will:

- Authorize the issuance of bonds totaling \$1,886,000 and the appropriation of the proceeds thereof for the program.

Water main improvements will be conducted on the streets listed below. A new 12" water main will

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be installed on Portland Avenue (Clifford Avenue - Draper Street) as part of the planned street improvement project on Portland Avenue scheduled for 2015.

The Water Main Extensions and Improvements program provides for the scheduled replacement of deteriorated and deficient water mains. Of the approximately 600 miles within the City's distribution system, 382 miles are over 75 years of age, which is the expected useful life of water mains.

This bond will fund water main improvements on the following streets:

<u>Name of Street</u>	<u>Limits</u>	<u>Reason for Replacement</u>
Portland Avenue	Clifford Avenue - Draper Street	10 Water Main Breaks
Cimarron Street	Mt. Hope Avenue - east dead end	7 Water Main Breaks
Belknap Street	Jay Street - Hollis Street	6 Water Main Breaks
Bryan Street	Dewey Avenue – 400' west of Archer Street	4 Water Main Breaks
Burkhard Place	South Avenue – east dead end	Very Low Flows - Deficient Fire Flows

The streets identified herein are scheduled to begin construction in spring 2015 with completion in late fall 2015. Project inspection will be provided by Water Bureau personnel.

The project results in the creation and/or retention of the equivalent of 20 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-36

Ordinance No. 2015-68
(Int. No. 75)

Bond ordinance of the City of Rochester, New York, authorizing the issuance of \$1,886,000 bonds of said City to finance the reconstruction of various water mains related to the 2015 Water Main Extension and Improvements Program in the City

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of reconstruction of water mains along the streets described below as part of the 2015 Water Main Extension and Improvements Program in the City (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,886,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,886,000 bonds of the City and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

2015 Water Main Extension and Improvement Project: Water mains reconstruction and improvements on the following streets:

Portland Avenue
Cimarron Street

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Belknap Street
Bryan Street
Burkhard Place

Section 2. Bonds of the City in the principal amount of \$1,886,000 are hereby authorized to be issued, pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, all or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance in the amount of \$1,886,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of the class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 1. of the Law, is forty (40) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

Section 7. The validity of the bonds authorized by this Ordinance and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

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Section 8. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing Ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record," a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-69

Re: Annual Parking Garage Repair and
Reconstruction Program

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$1,429,000 and the appropriation of the proceeds thereof to finance the Annual Parking Garage Repair and Reconstruction Program.

Ordinance No. 2014-345 authorized an agreement with T.Y. Lin International for planning and design services for the garage program through 2015. Ordinance No. 2010-116 provides resident project representation (RPR) services for the annual garage program. Under these agreements, T.Y. Lin International performs comprehensive garage inspections, condition ratings, prioritization, structural design, and RPR services. They also develop both the annual and five-year, long-term capital program for the eight City-owned garages.

The bond appropriated herein will fund work on seven City-owned garages including post-tensioned tendon repairs; deck waterproofing and sealing; repair to structural components; expansion joint repair; structural façade repairs and waterproofing; mechanical, electrical and plumbing system repairs; masonry repairs; and elevator repairs and replacements. The garages include: Genesee Crossroads, Mortimer Street, High Falls, South Avenue, Washington Square, Sister Cities, and Court Street. Work performed in the East End Garage under this year's construction project will be minimal since a separate rehabilitation project for this garage is planned for 2015-16.

A construction contract is scheduled to begin in summer 2015 with completion in spring 2016. Total cost of the parking garage improvements, including contingency, is estimated at \$1,929,000 and will be funded as follows:

	2014-15 Bonds <u>requested herein</u>	2013-14 Cash <u>Capital (Parking)</u>	<u>Total</u>
Design	\$ 0	\$500,000	\$ 500,000
Construction	<u>1,429,000</u>	<u>0</u>	<u>1,429,000</u>
Total	\$1,429,000	\$500,000	\$1,929,000

The funding results in the creation and/or retention of the equivalent of 21 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-37

Ordinance No. 2015-69
(Int. No. 76)

Bond ordinance of the City of Rochester, New York, authorizing the issuance of \$1,429,000 bonds of said City to finance the cost of the Parking Garage Repair and Reconstruction Program in the City

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of the reconstruction or construction of improvements to the Genesee Crossroads, Mortimer Street, High Falls, South Avenue, Washington Square, Sister Cities and Court Street Parking Garages in the City, being Class "A" buildings, as a part of the Parking Garage Repair and Reconstruction Program, including but not limited to post-tensioned tendon repairs, deck waterproofing and sealing, repair to structural components, expansion joint repair, structural façade repairs and waterproofing, mechanical, electrical and plumbing system repairs, masonry repair, and elevator repairs and replacements (the "Project"). The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,929,000. The plan of financing includes the issuance of \$1,429,000 bonds of the City, and said amount is hereby appropriated therefor, together with the application of \$500,000 from 2013-14 Cash Capital (Parking) funds, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$1,429,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$1,429,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00a.11 of the Law for a Class A building, is thirty (30) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

Section 7. The validity of the bonds authorized by this Ordinance and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record," a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-70
Re: Agreement - SWBR Architecture,
Engineering & Landscape Architecture,
PC, Emergency Communications
Facility Console Replacement

Council Priority: Public Safety

Transmitted herewith for your approval is legislation establishing \$130,000 as maximum compensation for an agreement with SWBR Architecture, Engineering & Landscape Architecture, PC, Rochester, New York, for architectural and engineering services for the Emergency Communications Facility Console Replacement Project. The cost of the agreement will be financed as follows:

<u>Source</u>	<u>Amount</u>
Prior years Cash Capital	\$ 1,500
2012-13 Cash Capital	18,360
2013-14 Cash Capital	65,000

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2014-15 Cash Capital	<u>45,140</u>
Total	\$130,000

The Emergency Communications Department serves 84 different public safety agencies. The project will include console replacements throughout the facility to accommodate computer system replacements being performed by the County. The renovation will also include a new training area, carpet replacement throughout, acoustical improvements, and other interior improvements. The project also includes moving some existing consoles to the 311 Center.

SWBR Architecture, Engineering & Landscape Architecture, PC will provide architectural and engineering services for schematic design through construction administration, including phased construction planning.

Schematic design will begin in spring 2015; it is anticipated that construction will begin in fall 2015 with scheduled completion in spring 2016. The overall project budget including purchase of the new consoles, less consultant fees, is \$1,468,000. The agreement will result in the creation and/or retention of the equivalent of 1.4 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-38

Ordinance No. 2015-70
(Int. No. 77)

Authorizing and agreement for the Emergency Communications Facility Console Replacement Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement between the City and SWBR Architecture, Engineering & Landscape Architecture PC for architectural and engineering services for the Emergency Communications Facility Console Replacement Project in a maximum amount of \$130,000. The agreement may extend until three (3) months after completion of a two-year guarantee inspection of the project for which the services are provided. Said amount shall be funded by \$1,500 from the Prior Years' Cash Capital allocation; by \$18,360 from the 2012-13 Cash Capital allocation; by \$65,000 from the 2013-14 Cash Capital allocation; and by \$45,140 from the 2014-15 Cash Capital allocation.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-71

March 17, 2015

Re: Agreement - T.Y. Lin International,
Charles Carroll Plaza and Genesee
Crossroads Parking Garage Roof
Slab Reconstruction Project

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$700,000 as maximum compensation for an agreement with T.Y. Lin International, Rochester, New York, for planning, landscape architectural and engineering services for the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project. The cost of the agreement will be financed as follows:

<u>Source</u>	<u>Amount</u>
2012-13 Cash Capital	\$250,000
2013-14 Parking Cash Capital	300,000
2014-15 Parking Cash Capital	<u>150,000</u>
Total	\$700,000

The Charles Carroll Plaza and the multi-storied Genesee Crossroads Parking Garage that lies underneath are located on a prime waterfront parcel on the west side of the Genesee River in the city's Central Business District, between Andrews Street and Main Street, as shown in the attached map. The Charles Carroll Plaza sits atop of, and is supported by, the reinforced concrete parking garage below.

The project will address the garage roof slab structural and waterproofing system deterioration, and the plaza's deterioration, functionality and safety issues. The project will include the removal of portions of the plaza to perform structural repairs to the garage roof slab underneath, replace the slab waterproofing system, and reconstruct a new plaza.

T.Y. Lin International was selected for consultant services through a request for proposal process which is described in the attached summary.

Planning and design services for the project are anticipated to begin in spring 2015. Construction is anticipated to begin in winter 2016 with completion in winter 2017. The anticipated construction cost is approximately \$4,185,000. This agreement will result in the creation and/or retention of the equivalent of 7.6 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-39

Ordinance No. 2015-71
(Int. No. 78)

Authorizing a professional services agreement with T.Y. Lin International for the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

March 17, 2015

Section 1. The Mayor is hereby authorized to enter into a professional services agreement between the City and T.Y. Lin International for planning, engineering and landscape architectural services for the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project in the maximum amount of \$700,000. The agreement may extend until three (3) months after completion of a two-year guarantee inspection of the project. Said amount shall be funded by \$300,000 from the 2013-14 Parking Cash Capital allocation; by \$150,000 from the 2014-15 Parking Cash Capital allocation; and by \$250,000 from the 2012-13 Cash Capital allocation of the Department of Environmental Services.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-72

Re: Agreements - Materials Testing

Transmitted herewith for your approval is legislation authorizing agreements with the following companies for the provision of various services related to the testing and analysis of various construction materials:

<u>Company</u>	<u>Address</u>
Apex Environmental Group (AEG)	Rochester, NY 14618
Atlantic Testing Laboratories	Rochester, NY 14623
Barton & Loguidice, D.P.C.	Rochester, NY 14614
CME Associates, Inc.	Rochester, NY 14606
LaBella Associates, D.P.C.	Rochester, NY 14614
Lozier Environmental Consulting, Inc.	Rochester, NY 14609
Paradigm Environmental Services, Inc.	Rochester, NY 14608
Professional Service Industries, Inc.	N. Tonawanda, NY 14120
Safety Zone Environmental, LLC	Penfield, NY 14526
ROC Geotechnical Consulting	Rochester, NY 14623
Terracon Consultants - NY, Inc.	Hilton, NY 14468

The costs of the testing will be financed from the annual budgets of the Department of Environmental Services, contingent upon approval of future budgets, and, if necessary, the departments using the services, or from the capital funds appropriated for specific construction projects.

Testing services include: sampling and testing of soils, asbestos, asphalt, concrete, masonry, structural steel and road base materials and exploratory drilling. Such tests are routinely required by the Bureau of Architecture and Engineering for street, bridges, and building renovation projects.

All responding firms were recommended and were selected for materials testing services through a request for proposal process, which is described in the attached summary.

When tests are necessary, one or more of these companies will be utilized. The selection of a specific

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company will depend upon the type of test required, the company's special skills, and its ability to accommodate the City's schedule. The volume of tests will depend upon the number of construction projects that are authorized. The cost of the tests will be based on the unit prices specified in the company's proposal.

Each of the agreements will have a term of two years. Adjustment of the specified unit prices during the second year will be permitted but will be subject to approval by the City Engineer.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-40

Ordinance No. 2015-72
(Int. No. 79)

Authorizing agreements for materials testing services

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into agreements with the following companies for the testing of various construction materials as required by the City:

<u>Company</u>	<u>Address</u>
Apex Environmental Group (AEG)	Rochester, NY 14618
Atlantic Testing Laboratories	Rochester, NY 14623
Barton & Loguidice, D.P.C.	Rochester, NY 14614
CME Associates, Inc.	Rochester, NY 14606
LaBella Associates, D.P.C.	Rochester, NY 14614
Lozier Environmental Consulting, Inc.	Rochester, NY 14609
Paradigm Environmental Services, Inc.	Rochester, NY 14608
Professional Service Industries, Inc.	N. Tonawanda, NY 14120
Safety Zone Environmental, LLC	Penfield, NY 14526
ROC Geotechnical Consulting	Rochester, NY 14623
Terracon Consultants - NY, Inc.	Hilton, NY 14468

Section 2. Each agreement shall have a term of two years. Each agreement shall provide for a test to be performed on an as needed basis and shall establish a unit price to be paid for a particular test. The unit price may be adjusted during the second year with the approval of the City Engineer. The cost of said agreements shall be funded from the annual budgets of the Department of Environmental Services and of the departments using the services, or from the capital funds appropriated for specific construction projects, contingent upon adoption thereof.

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

March 17, 2015

Ladies and Gentlemen:

Ordinance No. 2015-73 and
Ordinance No. 2015-74
Re: Public Market Winter Shed
Renovation and Expansion Project

Council Priority: Creating and
Sustaining a Culture of Vibrancy,
Jobs and Economic Development

Transmitted herewith for your approval is legislation related to Public Market Winter Shed Renovation and Expansion Project. This legislation will:

1. Establish \$580,000 as maximum compensation for an agreement with LeChase Construction Services, LLC, Rochester, New York, for construction management services for the project;
2. Authorize an amendatory agreement with T.Y. Lin International, Rochester, New York, for additional engineering and architectural services (including construction administration) for this project. This amendment will increase maximum compensation by \$153,000 to a total of \$1,083,000;
3. Authorize the issuance of bonds totaling \$508,000 and the appropriation of the proceeds thereof to partially finance the project;
4. Authorize an agreement with Empire State Development Corporation (ESDC) for the receipt and use of 2013 and 2014 Consolidated Funding Application awards in the amount of \$500,000 and \$1,500,000, respectively, for a total of \$2,000,000 in anticipated reimbursements for the project; and
5. Authorize an agreement with the Dormitory Authority of the State of New York (DASNY) for the receipt and use of \$500,000, secured with the sponsorship of Assemblyman David Gantt, for the project.

In December 2010, City Council approved \$300,000 for a design services agreement for the Public Market Renovation Project with T.Y. Lin International (Ord. No. 2010-433). A subsequent amendatory agreement was approved in September 2012 for \$630,000 (Ord. No. 2012-374). In January 2012, a grant from the New York State Department of Agriculture and Markets was authorized for the rehabilitation and expansion of the winter shed (\$1,800,000) and for market access and parking improvements (\$200,000) via Ordinance No. 2012-53. In August 2012, Ordinance No. 2012-53 was amended to change the funding allocation from 2011-12 Cash Capital to anticipated reimbursements from the New York State Department of Agriculture and Markets (Ord. No. 2012-319).

The project includes the construction of a new open shed, site and utility work and the demolition and construction of a new winter shed and four food kiosks.

Planned funding for the project is shown in the following table:

Design & Amendatory	Design Amendatory	Construction Estimated Including	Construction
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March 17, 2015

<u>Funding Sources</u>	<u>A</u>	<u>B</u>	<u>Contingency</u>	<u>Management</u>	<u>Total</u>
NYS Agriculture and Markets Grant	\$275,000		\$1,300,000	\$225,000	\$1,800,000
Bond appropriated herein		\$153,000		355,000	508,000
Future bonds			2,665,000		2,665,000
ESDC grants			2,000,000		2,000,000
DASNY grant			500,000		500,000
2012-13 Cash Capital	355,000				355,000
Prior year Cash Capital	<u>300,000</u>	<u> </u>	<u>200,000</u>	<u> </u>	<u>500,000</u>
Total	\$930,000	\$153,000	\$6,665,000	\$580,000	\$8,328,000

LeChase Construction Services, LLC, as construction manager, will provide construction management and oversight. Funding for this agreement will be \$225,000 from the New York State Department of Agriculture and Markets and \$355,000 from the bonds authorized herein. T.Y. Lin International will provide additional engineering services and construction administrative functions for \$153,000, funded from the bond authorized herein.

LeChase Construction Services, LLC was selected for construction management services through a request for proposal process which is described in the attached summary.

The project is scheduled to be bid in spring 2015. It is anticipated that construction will begin in fall 2015 with scheduled completion in spring 2017. The funding for the agreements established herein will result in the creation and/or retention of the equivalent of eight full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-41

Ordinance No. 2015-73
(Int. No. 80)

Authorizing agreements for the Public Market Winter Shed Renovation and Expansion Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement between the City and T.Y. Lin International for architectural and engineering design and construction supervision services for the Public Market Winter Shed Renovation and Expansion Project (the "Project") in the maximum amount of \$153,000, increasing the total maximum amount of said agreement to \$1,083,000. The agreement may extend until three (3) months after completion of a two-year guarantee inspection of the project. The cost of the amendatory agreement shall be funded by \$153,000 from a bond ordinance to be authorized for this Project.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement between the City and LeChase Construction Services LLC for construction management services for the Public Market Winter Shed Renovation and Expansion Project in the maximum amount of \$580,000. The agreement may extend until three (3) months after completion of a two-year

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guarantee inspection of the project. The cost of the agreement shall be funded by \$225,000 from grant funds from the New York State Department of Agriculture and Markets which were appropriated for this purpose by Ordinance No. 2012-319; and by \$355,000 from a bond ordinance to be authorized for this Project.

Section 3. The Mayor is hereby authorized to enter into an agreement with the Dormitory Authority of the State of New York for receipt and use of grant funds in the amount of \$500,000 for the Project, and said funds for anticipated reimbursements are hereby appropriated for said purpose

Section 4. The Mayor is hereby authorized to enter into agreements with the Empire State Development Corporation for receipt and use of grant funds in the amount of \$500,000 and \$1,500,000 for the Project, and said funds for anticipated reimbursements in the total amount of \$2,000,000 are hereby appropriated for said purpose

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2015-74
(Int. No. 81)

Bond ordinance of the City of Rochester, New York, authorizing the issuance of \$508,000 bonds of said City to finance the cost of design and construction of the Public Market Winter Shed Renovation and Expansion Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of the design and construction of the Public Market Winter Shed Renovation and Expansion Project, including but not limited to construction of a new open shed, site and utility work, and the demolition and construction of a new Winter Shed and four food kiosks, at the Public Market in the City (the "Project"). The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is estimated to be \$8,328,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$508,000 bonds of the City by this Ordinance and \$2,665,000 in bonds of the City to be issued by a future Ordinance, together with \$1,800,000 from grant funds from the New York State Department of Agriculture and Markets; \$500,000 in grant funds from the Dormitory Authority of the State of New York; \$2,000,000 in grant funds from the Empire State Development Corporation; \$355,000 from 2012-13 Cash Capital and \$500,000 from Prior Years' Cash Capital and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$508,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$508,000. This Ordinance is a declaration of official intent adopted pursuant to the

requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of 11.00a.11. of the Local Finance Law for a Class A building, is thirty years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

Section 7. The validity of the bonds authorized by this Ordinance and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record," a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-75

March 17, 2015

Re: Amendatory Agreement - Bergmann
Associates, Browncroft Neighborhood
Street Lighting Project and Amending
Local Improvement Ordinance
No. 1658

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the Browncroft Neighborhood Street Lighting Project. This legislation will:

1. Establish \$50,000 as maximum compensation for an amendatory agreement with Bergmann Associates for additional resident project representation services (RPR). The original agreement was \$90,000 (Ord. No. 2014-216), increasing total maximum compensation for RPR to \$140,000; and
2. Authorize a technical amendment to Local Improvement Ordinance (LIO) No. 1658 Section 4, approved on June 19, 2012, to add an interest rate of 1% above the City's most recent long-term borrowing rate, as determined by the Director of Finance. This language was inadvertently omitted from the original ordinance.

The RPR amendment requested herein will be funded from the 2014-15 Budget of the Department of Environmental Services (DES) (\$18,500), LIO No. 1658 (\$15,300), 2012-13 Cash Capital (\$8,300) and 2013-14 Cash Capital (\$7,900).

The project, designed in-house, includes: installation of a new street lighting system including new concrete light poles; sidewalk access ramps to comply with Americans with Disabilities Act guidelines; and the replacement of hazardous sidewalks in select areas. Construction completion is anticipated by late spring 2015.

Funding for the additional RPR services are required for two reasons:

- The project's construction will extend beyond the original construction schedule. Work was added for changed site conditions after discovering that the existing underground conduit required design changes. Also, there was a delay in the start of the work because only one high bid was received. The City opted to negotiate a revised contract amount, thereby delaying the start by six weeks and adding a winter shutdown to the project, further extending the project's timeframe.
- Additional work was needed to inspect the Rochester Gas & Electric (RG&E) gas main replacement work in the area. RG&E's lengthy trench excavation in the roadway required a higher level of inspection services than the DES Permit Office staff could provide. RPR services were necessary to protect the City's assets and to address construction concerns of residents.

The additional funding results in the creation and/or retention of the equivalent of 0.6 full-time jobs.

A public hearing is required for the amendment to LIO No. 1658.

Respectfully submitted,
Lovely A. Warren
Mayor

March 17, 2015

Ordinance No. 2015-75
(Int. No. 82)

Authorizing an amendatory agreement for resident project representation services for the Browncroft Neighborhood Street Lighting Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement between the City and Bergmann Associates, P.C. for resident project representation services for the Browncroft Neighborhood Street Lighting Project. The amendment shall increase the maximum amount of the agreement by \$50,000 to a total of \$140,000. The agreement may extend until three months after completion of a two year guarantee inspection of the Project. Said amount shall be funded from \$18,500 from the 2014-15 Budget of the Department of Environmental Services; \$15,300 from funds appropriated by Local Improvement Ordinance No. 1658; \$8,300 of 2012-13 Cash Capital and \$7,900 of 2013-14 Cash Capital allocations of the Department of Environmental Services.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. Section 4 of Local Improvement Ordinance No. 1658 is hereby amended to read as follows:

Section 4. The additional construction costs relating to such street lighting upgrading, in an amount not to exceed \$ 390,924.64, plus interest at the rate of 1% above the City's most recent long term borrowing rate as determined by the Director of Finance, shall be annually assessed and billed as Special Assessments against the parcels of property within the district for a period of 15 years, commencing with the 2013-14 year, or the tax year after completion of construction, whichever is later. Such amount shall be appropriated from the Special Assessments. Such assessments shall be billed on the regular tax bill and shall be due in one installment. Any assessment not paid by its due date shall be a lien upon the property billed and a personal obligation of the property owner.

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

By Councilmember McFadden
March 17, 2015

To the Council:

The Public Safety, Youth & Recreation Committee recommends for Adoption the following entitled legislation:

March 17, 2015

Int. No. 83 - Authorizing an agreement for an explosive detection canine team grant

Int. No. 84 - Authorizing an agreement for the motor vehicle theft and insurance fraud prevention program and amending the 2014-15 Budget

Int. No. 85 - Authorizing grant agreements for police/citizen patrols and community policing and amending the 2014-15 Budget

Int. No. 86 - Authorizing agreements and appropriating funds for the Summer of Opportunity Youth Program

Int. No. 87 - Authorizing amendatory agreements for the Teenage Pregnancy Prevention Program

Respectfully submitted,
Adam C. McFadden
Matt Haag
Elaine M. Spaul
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-76
Re: Agreement - New York State Division
of Homeland Security and Emergency
Services, 2014 Explosive Detection
Canine Team Enhancement Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Division of Homeland Security and Emergency Services for the receipt and use of \$19,750 for the 2014 Explosive Detection Canine Team Enhancement Grant.

These funds will be used for the purchase of supplies, equipment and training to enhance the interoperability of the Police Department's Canine Team with the SWAT and Bomb Teams for tactical events.

This is the fourth year that the Police Department has received this grant. The term of the grant is from November 12, 2014 through August 31, 2016. No matching funds are required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-76
(Int. No. 83)

March 17, 2015

Authorizing an agreement for an explosive detection canine team grant

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Homeland Security and Emergency Services for receipt and use of funding for the Rochester Police Department under the 2014 Explosive Detection Canine Team Grant Program in the amount of \$19,750, which funds are hereby appropriated for said purpose. The term of this grant shall be November 12, 2014 through August 31, 2016.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-77
Re: Agreement - New York State Division
of Criminal Justice Services, Motor
Vehicle Theft and Insurance Fraud
Prevention Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Division of Criminal Justice Services for the receipt and use of \$41,500 for the Motor Vehicle Theft and Insurance Fraud Prevention (MVTIFP) grant, and amending the 2014-15 Budget of the Police Department by \$21,500 to reflect a portion of this grant.

This award, for the reduction of auto theft and insurance fraud, will provide overtime to support Police Department deployment in high-theft areas and increased investigations of insurance fraud. The grant also provides funds to train police officers in specialized anti-theft techniques and technology.

The previous MVTIFP award, authorized by City Council in January 2014 (Ord. No. 2014-18), resulted in 82 investigations of auto theft, 29 arrests, and approximately \$84,720 in stolen vehicles recovered. Fringe is not included and no local match is required for this grant.

The term of this agreement is January 1, 2015 through December 31, 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-42

Ordinance No. 2015-77

March 17, 2015

(Int. No. 84)

Authorizing an agreement for the motor vehicle theft and insurance fraud prevention program and amending the 2014-15 Budget

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services for receipt and use of funds for the Motor Vehicle Theft and Insurance Fraud Prevention Program in the amount of \$41,500 and such funds are hereby appropriated for said purpose. The term of this agreement shall be January 1, 2015 through December 31, 2015.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$21,500, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-78
Re: Agreements - New York State
Division of Criminal Justice
Services, Community Policing
Grants

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing agreements with the New York State Division of Criminal Justice Services (DCJS) for the receipt and use of two legislative grants, and amending the 2014-15 Budget of the Police Department by \$20,000.

The Police Department is receiving these awards from DCJS via Senator Robach in the form of legislative grants for \$10,000 each, for a total of \$20,000.

These grants are for police overtime for officers to walk with citizens, including members of PAC-TAC, clergy, and teens. These police and citizen sessions will continue the community policing concept on the streets of our city which will enhance police relations with residents by increasing opportunities to build positive relationships.

This is the first time we have received funds for this purpose. This grant does not include fringe and no funding match required.

March 17, 2015

The term of this agreement is January 1, 2015 through December 31, 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-78
(Int. No. 85)

Authorizing grant agreements for police/citizen patrols and community policing and amending the 2014-15 Budget

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services for receipt and use of funds for police/citizen patrols and community policing in the amount of \$10,000 and such funds are hereby appropriated for said purpose. The term of this agreement shall be January 1, 2015 through December 31, 2015.

Section 2. The Mayor is hereby authorized to enter into a second agreement with the New York State Division of Criminal Justice Services for receipt and use of funds for police/citizen patrols and community policing in the amount of \$10,000 and such funds are hereby appropriated for said purpose. The term of this agreement shall be January 1, 2015 through December 31, 2015.

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$20,000, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-79
Re: Summer of Opportunity Program

Council Priority: Jobs and
Economic Development

Transmitted herewith for your approval is legislation related to the implementation of the 2015 Summer of Opportunity Program (SOOP). This legislation will:

1. Establish a total of \$276,091 as maximum compensation for agreements with the following agencies to provide summer employment services to 221 youth:

<u>Agency/Program</u>	<u>Amount</u>
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March 17, 2015

Ibero-American Action League, Inc./STEM-Arts	\$ 24,996
Ibero-American Action League, Inc./Entrepreneurial	11,135
Baden Street Settlement of Rochester, Inc./Arts and Youth	15,654
Baden Street Settlement of Rochester, Inc./Multimedia	21,205
Rochester Community TV, Inc./Multimedia Design Team	11,700
Rochester Community TV, Inc./Youth Production Team	14,050
Caring and Sharing Child Care Center, Inc.	34,000
North East Area Development, Inc.	42,237
Southwest Area Neighborhood Association	18,860
Foodlink, Inc.	14,960
Friends of the GardenAerial d/b/a Greentopia	14,928
Rochester Technology and Manufacturing Association	25,310
Rochester Youth for Christ	<u>27,056</u>
Total	\$276,091

These agreements will be funded from \$250,000 in State funding (below) and from \$26,091 included in the proposed 2015-16 Budget of the Department of Recreation and Youth Services, contingent upon Council approval.

2. Authorize an agreement with the New York State Department of Labor for the receipt and use of a \$250,000 summer jobs program grant, received through the efforts of Senator Joseph Robach.

Program Overview

The City's SOOP collaborates with RochesterWorks' Summer Youth Employment Program (SYEP) to conduct joint recruitment and application intake for all applicants ages 14 to 20 years old seeking summer employment. Job readiness training and parent orientation are also provided. Funding for the activities of SOOP and SYEP is separate.

Externally Administered Work Experience (Tier 1)

A request for proposal (RFP) was issued jointly by SOOP and SYEP, the details for which are attached. A total of 35 proposals were received from 30 agencies. Twenty-seven proposals were approved for funding. The approved proposals were then divided between the City and RochesterWorks, based on applicant preference of wages or stipends, history working with the agencies, and ages of the youth to be served. Agencies proposed working with either 14-15 year olds, or 16+ year olds; SOOP's priority is 14-15 year olds.

<u>Funder</u>	<u>City SOOP</u>	<u>RochesterWorks SYEP</u>	<u>Total</u>
Number of programs	13 programs	14 programs	27 programs
Total funding	\$276,091	\$484,867	\$760,958
Age 14-15	170	154	324
Age 16-20	<u>51</u>	<u>140</u>	<u>191</u>
Total Youth	221	294	515

Internally Administered Jobs (Tier 2)

In addition to the positions above, the City plans to provide 265 jobs, however, since many of those positions will be funded from the 2015-16 Community Development Block Grant, approval will not be requested until May, at the same time that the Consolidated Community Development Plan is presented to Council.

Respectfully submitted,
Lovely A. Warren
Mayor

March 17, 2015

Attachment No. AO-43

Ordinance No. 2015-79
(Int. No. 86)

Authorizing agreements and appropriating funds for the Summer of Opportunity Youth Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into agreements to implement the Summer of Opportunity Youth Program with the organizations listed below for the maximum amounts stated below. The cost of said agreements shall be funded by \$250,000 from the funds appropriated in Section 2 of this Ordinance and by \$26,091 from the 2015-16 Budget of the Department of Recreation and Youth Services, contingent upon its adoption.

<u>Agency/Program</u>	<u>Amount</u>
Ibero-American Action League, Inc./STEM-Arts	\$ 24,996
Ibero-American Action League, Inc./Entrepreneurial	11,135
Baden Street Settlement of Rochester, Inc./Arts and Youth	15,654
Baden Street Settlement of Rochester, Inc./Multimedia	21,205
Rochester Community TV, Inc./Multimedia Design Team	11,700
Rochester Community TV, Inc./Youth Production Team	14,050
Caring and Sharing Child Care Center, Inc.	34,000
North East Area Development, Inc.	42,237
Southwest Area Neighborhood Association	18,860
Foodlink, Inc.	14,960
Friends of the GardenAerial, Inc. d/b/a Greentopia	14,928
Rochester Technology and Manufacturing Association	25,310
Rochester Youth for Christ	<u>27,056</u>
Total	\$276,091

Section 2. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Labor for the receipt and use of a \$250,000 grant for a summer jobs program, and such funds are hereby appropriated for the Summer of Opportunity Youth Program.

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. The agreements shall be for a term of one year with an option to extend for an additional one year if funds remain in the original appropriation.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-80
Re: Amendatory Agreements - Federal

March 17, 2015

Teenage Pregnancy Prevention
Program

Council Priority: Public Safety

Transmitted herewith for your approval is legislation related to the Teenage Pregnancy Prevention (TPP) program funded by the U.S. Department of Health and Human Services. This legislation will authorize amendatory agreements to increase maximum compensation with the following participating agencies:

<u>Agency</u>	Year 5 <u>Amount</u>	Added Year 4 <u>Carry-Over</u>	Final <u>Amount</u>
Coordinated Care Services	\$ 129,275	\$ 40,000	\$ 169,275
Baden St. Settlement	208,065	20,000	228,065
Community Place of Rochester	79,370	5,000	84,370
YWCA	128,619	10,000	138,619
University of Rochester	<u>359,988</u>	<u>37,611</u>	<u>397,599</u>
Sub-total	\$ 905,317	\$112,611	\$1,017,928
City	<u>594,388</u>	<u>40,278</u>	<u>634,666</u>
Total	\$1,499,705	\$152,889	\$1,652,594

The amendatory agreements reallocate unspent funds (approximately 10% of the grant) from the fourth year of TPP to support the fifth year. These funds will be included in the City's Teenage Pregnancy Prevention Special Revenue Fund and will be used to cover follow-up and retention activities for current and previous participants, professional development, marketing and dissemination of the program evaluation.

The fifth and final year of TPP began September 1, 2014, as approved in Ordinance No. 2014-261.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-80
(Int. No. 87)

Authorizing amendatory agreements for the Teenage Pregnancy Prevention Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into amendatory agreements with the following organizations for Program Year 5 in amounts not to exceed the added amounts stated below for services under the Federal Teenage Pregnancy Prevention Program:

<u>Agency</u>	Year 5 <u>Amount</u>	Added Year 4 <u>Carry-Over</u>	Final <u>Amount</u>
Coordinated Care Services	\$129,275	\$ 40,000	\$ 169,275
Baden St. Settlement	208,065	20,000	228,065
Community Place of Rochester	79,370	5,000	84,370
YWCA	128,619	10,000	138,619
University of Rochester	<u>359,988</u>	<u>37,611</u>	<u>397,599</u>
	\$905,317	\$112,611	\$1,017,928

March 17, 2015

Section 2. The amendatory agreements shall obligate the City to pay an amount not to exceed \$112,611, in addition to the \$905,317 in funds appropriated by Ordinance No. 2014-261, and said amount, or so much thereof as may be necessary, is hereby appropriated from the funds previously received from the United States Department of Health and Human Services for this Program.

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 8:10 p.m.

HAZEL L. WASHINGTON
City Clerk